

Message Text

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ACTION EUR-25

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TO SECSTATE WASHDC 0653

INFO AMEMBASSY DUBLIN

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E.O. 11652: N/A

TAGS: PINT, UK(NI)

SUBJECT: REACTION TO LAW COMMISSION REPORT

FOLLOWING TRANSMITTED BY CONSULATE GENERAL BELFAST:

SUMMARY: BECAUSE OF EARLIER LEAKS OF REPORT OF ANGLO-IRISH LAW ENFORCEMENT COMMISSION, ANNOUNCEMENT OF EXECUTIVE'S NEO-SUNNINGDALE AGREEMENT, AND CURRENT STRIKE, NI PEOPLE DIDN'T PAY MUCH ATTENTION TO REPORT WHEN PUBLISHED MAY 23. LOYALISTS AND REPUBLICANS DENOUNCED IT, SDLP WELCOMED IT, AND UNIONISTS AND ALLIANCE ACCEPTED IT AS TEMPORARY SECOND BEST TO THEIR PREFERRED SOLUTION OF EXTRADITION. REPORT TENDS TO CONFIRM PROTESTANT VIEW THAT REPUBLIC IS UNWILLING TO TAKE POLITICAL RISKS TO HELP NORTH WITH TERRORISTS, AND THEREFORE REPORT HAS NOT MADE SUNNINGDALE MORE PALATABLE HERE. BUT IT SEEMS UNLIKELY UNIONIST BACKBENCHERS WILL BRING DOWN EXECUTIVE OVER IT. END SUMMARY.

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1. ALREADY LEAKED, OVERTAKEN BY MAY 22 EXECUTIVE STATE-

MENT, AND OVERSHADOWED BY UWC STRIKE AND ITS CONSEQUENCES, LAW COMMISSION REPORT HAS MADE LITTLE IMPACT IN NI.

2. (FAULKNER) UNIONIST INFORMATION MINISTER BAXTER REGRETTED REPORT DOES NOT CALL FOR IMPROVED EXTRADITION, AND SAID IT REMAINS TO BE SEEN WHETHER ALTERNATIVE WOULD BE EFFECTIVE. ENVIRONMENT MINISTER ROY BRADFORD, CLAIMING HIS VIEWS WERE GENERALLY THOSE OF HIS PARTY, SAID COMMISSION HAD FAILED IN ITS DUTY ON THE SUNNINGDALE PARA 10 TO RECOMMEND "MOST EFFECTIVE" MEANS OF DEALING WITH FUGITIVE TERRORISTS. BUT, HE ADDED, "EVEN A SECOND-BEST METHOD IS BETTER THAN NOTHING." EARLIER THIS WEEK UNIONIST BACKBENCHERS HAD SAID REPORT, WHICH THEY HAD PREVIEWED, DID NOT FULFILL SUNNINGDALE COMMITMENT, BUT DID NOT SAY WHETHER THEY WOULD NOW USE DISSATISFACTION WITH REPORT AS REASON FOR WITHDRAWING SUPDYHART FOR NEWLY-AGREED EXECUTIVE PLAN (WHICH DID NOT MENTION REPORT) TO PHASE IMPLEMENTATION OF SUNNINGDALE.

3. ALLIANCE PARTY LEADER AND LAW REFORM MINISTER OLIVER NAPIER COMMENDED REPORT, IF IT WORKED IN PRACTICE, AS MAJOR STEP IN DEALING WITH TERRORISTS, BUT PROMISED HE WOULD CONTINUE TO PRESS FOR IMPROVED EXTRADITION ARRANGEMENTS AS WELL. SDLP LEADER AND DEPUTY CHIEF MINISTER GERRY FITT COMMENDED REPORT WHILE POINTING OUT THAT MOST BOMBERS AND KILLERS WERE IN NI AND NOT SUBJECT TO ITS PROVISIONS.

4. OFFICIAL UNIONIST JOHN TAYLOR SAID REPORT MEANT IRISH REPUBLIC WAS NOT FULFILLING SUNNINGDALE OBLIGATION. HIS COLLEAGUE JOHN LAIRD SAID EXTRADITION WAS THE ONLY WAY; IF FAULKNER SETTLED FOR LESS, IT WOULD BE FURTHER RETREAT FROM HIS OWN POSITION.

5. (OFFICIAL) REPUBLIC CLUBS SPOKESMAN SAID REPORT WAS UNCONSTITUTIONAL FARCE WHICH COULD NOT BE IMPLEMENTED IN REPUBLIC WITHOUT REFERENDUM. MOVEMENT WOULD MEET IN DERRY MAY 26 TO DISCUSS MATTER. (PROVO-ORIENTED) ASSOCIATION FOR LEGAL JUSTICE HAD ALREADY ISSUED STATE-LIMITED OFFICIAL USE

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MENT OBJECTING TO WHOLE IDEA BECAUSE THERE IS STILL DISCRIMINATION AGAINST CATHOLICS IN NORTHERN COURTS.

6. COMMENT: REPORT WILL FURTHER CONVINCE MOST NORTHERN PROTESTANTS THAT REPUBLIC IS USING LEGAL SOPHISTRY TO AVOID WHOLEHEARTED COOPERATION IN DEALING EFFECTIVELY WITH TERRORISTS. REPORT HAS CONSEQUENTLY FAILED TO MAKE SUNNINGDALE PACKAGE MORE PALATABLE IN NORTH. BUT

IT SEEMS UNLIKELY UNIONIST BACKBENCHERS WILL TRY TO
DERAIL NEWLY-MODIFIED SUNNINGDALE AGREEMENT OR BRING
DOWN EXECUTIVE OVER WHAT IS, IF PROPERLY OPERATED, AN
IMPROVEMENT IN DEALING WITH FUGITIVE TERRORISTS, AND
A MATTER FOR HMG RATHER THAN EXECUTIVE.

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